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# PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

920476-904913

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on September 27 2005

Signature Minnie Wilson

Typed or printed name Minnie Wilson

Application Number

09/693,132

Filed

10/20/2000

First Named Inventor

Adanus Henricus Nicolâas Roestenburg

Art Unit

2145

Examiner

Thomas Duong

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

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attorney or agent of record.

Registration number 26,935

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attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

William M. Lee, Jr.

Signature

William M. Lee, Jr.

Typed or printed name

312-214-4800

Telephone number

September 27, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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\*Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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920476-904913

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In the application of** : A H N Roestenburg  
**Serial No.** : 09/693,132  
**Filed** : October 20, 2000  
**For** : System, Apparatus and Method for  
Personalising Web Content  
**Examiner** : Thomas Duong  
**Art Unit** : 2145  
**Customer number** : 23644

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Name of person signing: Minnie Wilson  
Signature Minnie Wilson

**SUCCINCT STATEMENT IN SUPPORT OF PRE-APPEAL BRIEF CONFERENCE**

Honorable Director of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

As required under the Pilot Program initiated July 12, 2005, following is the  
Applicants' statement in support of the Appeal Brief Conference for this application:

The Examiner cites US 006725265B1 (Challenger et al) under 35 USC §102(e) as anticipating claims 1, 4-10, 12, 15-21, 23, 27-32, 55 and 58-85. The test of anticipation is a stringent one and the prior art reference must clearly teach each and every limitation of the allegedly anticipated claim. The Examiner has failed to satisfy this test for the following reasons at the very least:

1) The Examiner asserts that "Challenger teaches of a client-server system where cache 106 stores customized information relating to the client 102". However, the customized information is clearly not personal data relating to the user of the client equipment unit as presently claimed. Rather, the customized information relating to the client 102 is content to be provided to the user. There is a clear distinction between content which is to be provided and the personal data relating to the user. The Examiner has simply overlooked this claim feature.

2) The examiner argues that Challenger discloses "the data manipulation server intercepting a request message for obtaining the content, the request message being transmitted from the client equipment unit and addressed to the content providing server". The Examiner cites various references. However, there is no teaching whatsoever in Challenger that cache 106 intercepts any request messages addressed to the content providing server.

3) There is no teaching in Challenger that cache 106 is remote from the client equipment unit as presently claimed. In fact, the very nature of a cache is such that it should be as close as possible to the client equipment unit as possible in order to reduce overhead and latency.

The Examiner rejects claims 2-3, 11, 13-14, 22, 33 and 56-57 under 35 USC §103(a) as being unpatentable over Challenger in view of US 006330561B1 (Cohen et al). Cohen discloses a method and apparatus for improving the efficiency of a cache. The Examiner has failed to substantiate this allegation at least for the reasons given

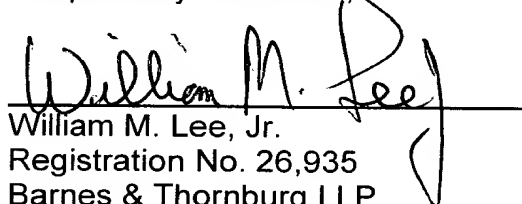
above and the reason given below: 1) In Cohen, the proxy filter sent with the request is not used to personalize the content requested by the requesting client, but rather to enable the proxy cache to determine to what extents its already cached resources are valid or invalid and possibly to pre-fetch additional resources which may or may not be requested by the user in future. Thus, it cannot be said that the request message is modified thereby to personalize the content to be obtained by the client equipment unit as presently claimed in claims 2, 13 and 56.

Generally speaking, both Challenger and Cohen relate to methods and systems for caching information. In contrast, the Applicants' invention is directed to personalization of content. There is a very significant distinction between these. The objective of caching is to improve efficiency in providing content (eg to reduce overhead and latency), whereas the objective of content personalization is to provide a richer and more relevant user experience. It is clear to the Applicant that both Challenger and Cohen are wholly inappropriate references

Given the above, it is submitted that the Examiner's rejections of the application are untenable as has been consistently argued by the Applicants, and the results of this review are awaited.

September 27, 2005

Respectfully submitted,

  
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